



INTERCOMMUNITY CABLE REGULATORY COMMISSION

2492 Commodity Circle • Cincinnati, Ohio 45241
(513) 772-4272 • FAX (513) 772-4354
Cable TV Franchise Regulation • Community Access Television

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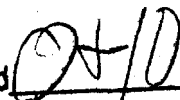
SUBJ: MM Docket No. 92-263

Enclosed please find reply comments in FCC
Consumer Protection/Customer Service Rulemaking.

Sincerely,


Patricia Havlik, Administrator

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January, 1993

Federal Communication Commission
Washington, D. C. 20554

Subj: Implementation of Section 8 of the Cable Television
Consumer Protection And Competition Act of 1992.

MM-Docket 92-263

The Intercommunity Cable Regulatory Commission¹ submits these reply comments in the above captioned proceeding.

The Intercommunity Cable Regulatory Commission has reviewed the comments submitted by the National Association of Telecommunications Officers and Advisors, National League of Cities, United States Conference of Mayors, and the National Association of Counties ("Local Governments") submitted in this proceeding. The Intercommunity Cable Regulatory Commission believes that the comments filed by Local Governments accurately reflect the Intercommunity Cable Regulatory Commission's position on the implementation of Section 8 of the Cable Television Consumer Protection and Competition Act of 1992 (the "1992 Act"). Accordingly The Intercommunity Cable Regulatory Commission concurs with the comments filed by Local Governments and respectfully requests the Federal Communications commission ("Commission" or "FCC") to consider carefully these comments.

The Intercommunity Cable Regulatory believes that the Commission should adopt a set of specific standards which will ensure adequate customer service throughout the country. The Commission-established standards should be self-

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executing and should apply to all cable systems as of the date of adoption of the standards by the FCC, without any further action to be taken by franchising authorities.

The general rule that the Commission-established standards will apply to all cable operators should be subject to three exceptions: (i) where a franchising authority determines to waive one or more of the FCC standards in favor of less stringent standards; (ii) where the franchising authority has more stringent customer service standards already in place; or (iii) where a franchising authority exercises its right to promulgate more stringent standards or standards not addressed by the FCC standards.

Franchising authorities should be primarily responsible for enforcing the Commission-established standards. The Commission, if necessary, could act as a final arbiter of disputes between franchising authorities and cable operators.

The Intercommunity Cable Regulatory Commission believes that the Commission should establish comprehensive consumer protection rules. Customer service was a paramount concern of Congress in the passage of the 1992 Act. The legislative history of the 1992 Act is replete with testimony from cable subscribers, consumer groups and franchising authorities documenting customer service problems--- problems that are evident in both large and small systems. The Intercommunity Cable Regulatory Commission's customers sometimes wait seven to eight days for a repairman to restore service, yet the customer must call and demand a rebate for the days they were without service. We feel automatic rebates for lost service should be mandatory.

The Intercommunity Cable Regulatory Commission urges the Commission not to adopt the NCTA standards. While the NCTA standards may provide a useful starting point in crafting a set of customer service standards, they are lacking in two key respects: they are neither stringent nor specific enough, and they do not address issues and areas that should be

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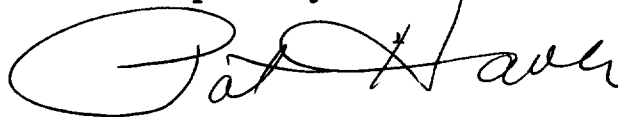
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addressed, such as credits for a failure by the cable operator keep a service call and credits for a failure by a cable operator to correct an outage or other reception problems promptly.

The Intercommunity Cable Regulatory Commission believes that the approach proposed by Local Governments, as filed in their comments, will ensure adequate customer service for cable customers in The Intercommunity Cable Regulatory Commission as well as throughout the country, and will not unreasonably burden cable operators.

Respectfully submitted:

A handwritten signature in cursive script, appearing to read "Pat Havlik", written in dark ink.

Patricia Havlik, Administrator
Intercommunity Cable Regulatory Commission

¹ The Intercommunity Cable Regulatory Commission is a consortium, formed under Chapter 167 of the Ohio Revised Code, consisting of twenty-eight municipalities operating in the suburbs of the City of Cincinnati, Ohio and representing over 60,000 Cable TV subscribers.